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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,420	01/06/2004	David Wei Hua Mou	MOUD3001/BEU	3198
23364	7590	06/08/2005	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			HUNNINGS, TRAVIS R	
		ART UNIT	PAPER NUMBER	2632

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/751,420	MOU, DAVID WEI HUA	
	Examiner	Art Unit	
	Travis R. Hunnings	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 March 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7, 9, 15-19 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7, 9, 15-19, 21-24 and 26 is/are rejected.
- 7) Claim(s) 25 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 January 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3, 7, 9, 15, 16, 18, 19 and 21 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Gray in view of Konsmo et al. (Konsmo; US Patent 5,844,808) for the record.

Regarding claim 1, Gray discloses the following claimed subject matters:

The claimed sensor unit including at least one photosensor arranged to detect light emitted by the indicator light, said sensor unit being arranged to detect at least one of the following parameters: color, brightness, flashing pattern and illumination pattern is met by the photovoltaic device (col2 10) used to monitor an on-line light of a system to be monitored (col1 56-68 and col2 1-4);

The claimed remote communications interface is met by the telephone link (col9 40-46);

The claimed computing device arranged to interpret said signals in order to indicate a status of said machine is met by the controller scanning inputs from the sensors and using that information to generate alarms (col9 10-21).

However, Gray is silent on the claimed receiver remotely situated relative to said sensor unit and arranged to receive signals generated by said sensor in response to detection of light emitted by said indicator light. Konsmo discloses *Apparatus and Methods for Monitoring and Communicating With a Plurality of Networked Remote Vending Machines* that teaches a central host computer that can receive messages from remotely monitored devices (col6 26-30). Modifying the device of Gray to use a central computer system instead of the telephone link would allow for easier operation by letting the host computer handle the messages instead of having a human always around to answer the telephone. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Gray according to the teachings of Konsmo to include a central host computer instead of a telephone link.

Regarding claim 2, Gray discloses all the claimed limitations except for the claimed remote communications interface including a wireless transmitter and said receiver is a wireless receiver. Konsmo teaches using a wireless communications network to accomplish the two-way communication between the monitored devices and the central host computer (col3 26-32). The examiner takes official notice that it is well known to one of ordinary skill in the art to include a wireless transmitter in the monitored device and a receiver in the central host computer in order to accomplish the wireless network as taught by Konsmo. It would be beneficial to use a wireless network in the device of Gray in order to save money on wiring the devices together, it would also

allow for greater separation distance of the devices. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Gray according to the teachings of Konsmo to set up the remote communications interface to use a wireless transmitter in the monitored device and a wireless receiver in the receiver.

Regarding claim 3, Gray discloses all the claimed limitations except for the claimed receiver being arranged to receive signals from a plurality of said sensor units, each identifiable by a unique identifier. Konsmo teaches a system that monitors multiple remote devices (col3 26-32) wherein each remote device has an identification number (col11 40-44). Altering the device of Gray to monitor multiple remote devices would increase the flexibility of the system and providing each remote device with a unique identifier number would allow for quicker determination of the location of an alert. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Gray according to the teachings of Konsmo to monitor multiple remote devices, each with a unique identifier.

Regarding claim 7, Gray and Konsmo disclose all the claimed limitations. The claimed sensor unit including multiple photosensors for monitoring multiple machine status indicator lights is met by the multiple lights and sensors as shown in figure 5 and column 9, lines 10-21.

Regarding claim 9, Gray and Konsmo disclose all the claimed limitations. The claimed photosensor being arranged to monitor an on/off condition of said indicator light is met by the device providing a signal at a remote location upon a change in the on/off status of an on-line light (col1 56-68 and col2 1-4).

Regarding claim 15, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 16, the claim is interpreted and rejected as claim 2 stated above.

Regarding claim 18, the claim is interpreted and rejected as claim 3 stated above.

Regarding claim 19, the claim is interpreted and rejected as claim 7 stated above.

Regarding claim 21, the claim is interpreted and rejected as claim 9 stated above.

3. Claims 4-6 and 17 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Gray in view of Konsmo and further in view of Motoyama et al. (Motoyama; US Patent 6,631,247) for the record.

Regarding claim 4, Gray and Konsmo disclose all the claimed limitations except for the claimed receiver being connected to a network server. Motoyama discloses *Method and System for Remote Diagnostic, Control and Information Collection Based on Various Communication Modes for Sending Messages to a Resource Manager* that teaches a remote monitoring station that monitors multiple devices and is connected to a local area network (fig. 1, 16) to accomplish the communications (col5 4-26). It is inherent that a network must have a server that runs the network, and therefore by connecting a computer to a network it is operably connected to the network server. Connecting the central host computer of Gray and Konsmo to a network would facilitate communications by using an already existing protocol that is present in the network. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Gray and Konsmo according to the teachings of Motoyama to connect the central host computer to a network.

Regarding claim 5, Gray, Konsmo and Motoyama disclose all the claimed limitations. The claimed server being connected to a local area network is met by the network of Motoyama being a Local Area Network (col5 4-26).

Regarding claim 6, Gray and Konsmo disclose all the claimed limitations except for the claimed server being connected to the internet. Motoyama teaches connecting the network to the internet to accomplish the communication between monitored device and central monitoring station. By modifying the device of Gray and Konsmo to connect the network server to the internet so that it would communicate over the internet, the method of communication would be made more simple by using the pre-existing format of communication across the internet. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Gray and Konsmo according to the teachings of Motoyama to connect the network server to the internet.

Regarding claim 17, the claim is interpreted and rejected as claim 6 stated above.

4. Claims 22, 23 and 26 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson et al. (Ferguson; US Patent 6,654,673) in view of Gray for the record.

Regarding claim 22, Ferguson discloses *System and Method for Remotely Monitoring the Condition of Machine* that has the following claimed subject matters:

The claimed means for retrieving definitions from a database and comparing the received data with the definitions is met by the prognostic engine (col5 30-44) comparing the remote data with data stored in a parameter system (col5 59-62);

The claimed means for displaying a result of said comparison is met by the display (col5 12-16).

However Ferguson is silent on the claimed means for receiving data indicative of the status of at least one indicator light on at least one machine. Gray teaches using a photosensor to detect the changing conditions of an on-line light on a remote machine (col1 56-68 and col2 1-4). Altering the device of Ferguson to monitor a light on the remote machines that it monitors would allow the device to monitor additional parameters of the machine and it would be a cheap and easy retro-fit solution to pre-existing machine systems. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Ferguson according to the teachings of Gray to monitor the status of a light on the monitored machine.

Regarding claim 23, Ferguson and Gray disclose all the claimed limitations. The claimed means for storing results of said comparison and later displaying said stored results as historical data is met by the fault code and variance information being stored in the variance database when the comparison indicates a fault condition (col7 55-63, col6 3-6 and 24-30).

Regarding claim 26, Ferguson and Gray disclose all the claimed limitations. The claimed means for providing a warning to a user upon detection of an alert status of said indicator light is met by the remote system providing immediate notification to the owner or other person upon the receipt of a fault condition (col7 55-63).

5. Claim 24 is again rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson in view of Gray and further in view of Schnackenberg et al. (Schnackenberg; US Patent 6,172,432) for the record.

Regarding claim 24, Ferguson and Gray disclose all the claimed limitations except for the claimed means for calculating a run time based on said data and for comparing said run time with a maintenance schedule in order to generate maintenance reminders. Schnackenberg discloses *Automatic Transfer Switch* that teaches a generator being monitored by a separate controller that can be configured to monitor the running time of the machine and provide an alarm to an operator that maintenance is required after a predetermined time period has passes since the last maintenance was performed (col3 50-54). It would be beneficial to the device of Ferguson and Gray to modify the controller to monitor maintenance schedules and provide an alarm when maintenance is requires so that the remote machines are kept up well. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Ferguson and Gray according to the teachings of Schnackenberg to make the controller monitor for maintenance reminders.

Allowable Subject Matter

6. Claim 25 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed 29 March 2005 have been fully considered but they are not persuasive. The applicant argues the following:

A: Regarding claims 10, 12 and 14, applicant argues that Gray does not monitor on/off status and another parameter such as brightness, color, flashing pattern or illumination pattern.

B: Regarding claims 1 and 15, applicant argues that Gray and Konsmo do not disclose nor suggest an indicator light monitor that monitors the color, brightness, and/or flashing and illumination patterns of indicator lights.

C: Regarding claims 1 and 15, applicant argues that Gray and Konsmo are not related and would not have been combined by one of ordinary skill in the art to suggest the claimed invention.

D: Regarding claims 4-6 and 17, applicant argues that Gray, Konsmo and Motoyama would not have been combined by one of ordinary skill in the art to suggest the claimed invention.

E: Regarding claims 8 and 20, applicant argues that Gray, Konsmo and Motoyama would not have been combined by one of ordinary skill in the art to suggest the claimed invention and that Motoyama discloses a position encoder that has nothing to do with monitoring the status lights of a machine.

F: Regarding claims 22, 23 and 26, applicant argues that Ferguson reads diagnostics sent by the machine and not indicator light statuses and that one of ordinary skill in the art would not have combined Gray and Ferguson to suggest the claimed invention.

G: Regarding claim 24, applicant argues that Schnackenberg is directed to an automatic transfer switch and has nothing to do with monitoring machine indicator lights and therefore one of ordinary skill in the art would not have combined Gray, Ferguson and Schnackenberg to suggest the claimed invention.

Responses:

Regarding arguments A and E, the applicant cancelled the claims referenced in these arguments in the amendment filed 29 March 2005 and therefore these arguments are moot.

Regarding argument B, Gray discloses a system that monitors the on/off state of an indicator light. It would have been obvious to one of ordinary skill in the art that monitoring the on/off state of an indicator light is equivalent to monitoring the brightness, flashing or illumination pattern of the indicator light. The brightness of the light is inherently different when the light is on compared to when it is off and therefore

monitoring the on/off state of the light is equivalent to monitoring the brightness. Similarly the flashing and illumination patterns would be monitored by Gray because Gray monitors when the indicator light is on and off which is equivalent to monitoring flashing and illumination patterns.

Regarding arguments C and D, Konsmo and Motoyama teach devices and methods to remotely monitor a distributed system that includes remotely monitoring machines. The combination of Konsmo and Gray would have been obvious to one of ordinary skill in the art because both references are drawn to monitoring machine status. Therefore the combination is proper.

Regarding argument F, applicant is correct in that Ferguson monitors diagnostics sent by the machine and not indicator light statuses, however, the monitoring of indicator light status would be considered a diagnostic of the remote machine and would have therefore been obvious to one of ordinary skill in the art to combine the two references to arrive at the claimed invention. Therefore the combination is proper.

Regarding argument G, Schnackenberg teaches monitoring the running time and time since last maintenance check of a machine which related to the devices and methods disclosed by Gray and Ferguson and the reference was found while performing a search in relevant areas pertaining to the claimed invention. Therefore the combination would have been obvious to one of ordinary skill in the art.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


DANIEL WU
SUPERVISORY PATENT EXAMINER
6/02/05

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH